

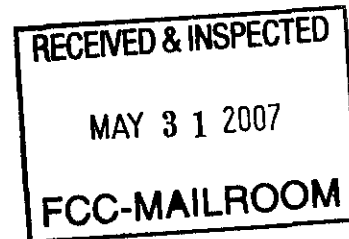
Office of Communications
Roman Catholic Diocese of Burlington

Response to Bingham McCutchen
Challenge to TV Mass Exemption from Captioning for the Deaf

May 25th, 2007

VIA ECFS – (CG Docket No. 06-181)

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, D.C. 20554



Dear Ms. Dortch:

First of all, and once again, please let me make it painfully clear that we are not averse to captioning for the deaf for the *TV Mass* and other diocesan programs. We have been providing the *TV Mass* to Vermonters in special need since 1960, to faithful Catholics (and even those of other faiths) who cannot attend Church due to health, age, and a host of incapacitating conditions.

Indeed, the *TV Mass* was created to serve those with handicaps. It pains us that we cannot afford at this time to add the hearing impaired to that list. But I wish they had come to us first, before spending their money and time filing legal petitions! Perhaps we could have worked together to solve this problem. Perhaps we still can. Perhaps the petitioners for the deaf could join together and discuss the possibility of providing captioning services to *TV Mass* producers and the like at a more affordable price!

The Office of Communications also produces a weekly 30-minute program, entitled "*Journey*", which provides coverage of many main diocesan programs, spiritual events, and informative faith features. So we would have to pay for one full hour of captioning service.

We have been researching possible sources of funding. So far, the lowest estimate (for *imperfect* captioning to our 17 television outlets) would cost us approximately \$10,000 per year for weekly captioning services, plus the purchase of decoder equipment for at least \$3,000, not including shipping and handling. However, this least expensive method does carry some drawbacks: it is not speedy enough to capture every word in a song for example; and it would require extensive scripting preparation such as service order and content, sermon text, lyrics to hymns, prayers, etc. which increases cost of preparation for us. But it would certainly be viewable. Better quality from this captioning provider (Caption Associates) would cost us about \$20,000 per year. (*Please see attached.*)

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Other estimates for up to \$300 per week per half-hour program offer higher quality, superior captioning but would cost us approximately \$31,200, without shipping and handling. Of course, the quality would be excellent. (Please see attached.)

Financial difficulties: Financial support from *TV Mass* viewers is currently very weak. We brought in only \$4,105.00 from viewers for the past two years! After tapping general income from other sources, we are still approximately \$5,000 per year in the negative for actual cash expenditures in the production of the *TV Mass*.

We are currently discussing new ways to attract viewer financial support, but I think the chances of realizing \$10,000 to \$31,200 per year to pay for such new expenses are very slim and that we truly qualify for caption exemption under the definition of "undue burden."

I hope you can see the futility of forcing us to stop service to all other people in need of the *TV Mass* on television in order to serve the rights of a smaller, though certainly equally deserving group such as the deaf. I hope you would, rather, help us to solve the captioning needs in a positive, affordable manner. No one will win if we are forced to cancel the *TV Mass* and *Journey* due to financial problems.

Addendum, May 25th 2007: I have just learned from the Vermont Access Network that the *TV Mass* and *Journey* programs which run on their cable access stations are not covered under these regulations. They have not been notified by the FCC or any other organization that they must use closed captioning. They are non-profit, public and community access stations which operate on the slimmest of budgets, and would be unable to afford such captioning at any rate.

It pains us to have to forfeit the *TV Mass* on WCAX TV after 47 years, which we will have to do if our petition for exemption from titling is not lifted. But please know that we will continue to carry our programs to the public, especially the handicapped and elderly, on these public access stations. And we will pray that either the money needed or more affordable captioning services will soon be offered to non-profit organizations such as the Diocese of Burlington so that we may welcome the deaf to our television public service programming.

Respectfully Submitted,



Gloria J. Gibson
Director of Communications
Roman Catholic Diocese of Burlington
(802) 658-6110, Ext. 1300
GGibson@vermontcatholic.org

Cc:

Paul O. Ganier, Troy F. Tanner, Danielle C. Burt
Bingham McCutchen LLP
2020 K Street, N.W.
Washington, D.C. 20007

Claude L. Stout
Executive Director
Telecommunications for the
Deaf and Hard of Hearing, Inc.
8630 Fenton Street, Suite 604
Silver Spring, MD 20920

Nancy J. Bloch
Chief Executive Officer
National Association of the Deaf
8630 Fenton Street, Suite 820
Silver Spring, MD 20190-4500

Cheryl Heppner
Vice Chair
Deaf and Hard of Hearing
Consumer Advocacy Network
3951 Pender Drive, Suite 130
Fairfax, VA 22030

Brenda Battat
Associate Executive Director
Hearing Loss Association of America
7910 Woodmont Avenue, Suite 1200
Bethesda, MD 20814

Edgar Palmer
President
Association of Late-Deafened Adults, Inc.
8083 Macintosh Lane
Rockford, IL 61107

Jenifer Simpson
Senior Director, Telecommunications
And Technology Policy
American Association of People with Disabilities
1629 K Street N.W., Suite 503
Washington, D.C. 20006

Ed Kelly
Chair
California Coalition of Agencies
Serving the Deaf and Hard of Hearing
6022 Cerritos Avenue
Cypress, CA 90630

Gloria Gibson

From: Patrick Murphy [pmurphy@newdaymedia.com]
Sent: Tuesday, May 15, 2007 4:57 PM
To: Gloria Gibson
Subject: Catholic Diocese -Vermont "The Mass" & "The Journey"

Gloria-

Thank you for your call. I just watched "The Mass" program as well as "The Journey" program online. -in order to see what the program's format is like and what we could expect from program for closed captioning. I was very impressed with your TV Broadcast history (since 1960) as well as organization for your knowledge of taping, programming, and a 3 week out taping to airing schedule.

Here is the quote I promised you; after talking with you, and finding out you have a number of programs you had to be closed captioned, I can give you a significant savings with a volume discount. We talked about including the distribution of your library for you at a small shipping cost, with a number of DVD's being duplicated and sent to the stations and your master Closed Caption Project being sent to you. Here's a little about us: New Day Media is a Tulsa-based Advertising Agency who has a Closed Captioning department with over 4 ½ years of experience and have done over 2,200 projects. Let me know if you have any questions, as I would be happy to answer any that you may have.

Because of new Federal Closed Captioning requires that 100% of all television programming needs to be captioned, to make your program more able meet the mandate, and to provide you with this very competitive quote. We do Closed Captioning in every tape format (Digibeta, Beta SP, Beta SX, Mini DV, DVC Pro 50 / 25, DVCam and DVD) for nearly every type of program. So if you have a different tape format, feel free to call me and I can get you a quote that will be more specific and meet your needs.

Below you will find a quote that I believe will help assist you with your Closed Captioning needs. If you need a quote on "The Journey" TV Program, feel free to use the same number. Again, we would love to earn your business.

Closed Captioning Quote for: "Vermont Diocese" TV Program

TRT: 28:30 (30 Minute Program)

Number of Episodes/Shows: 52 (Weekly Program)

Format: "Mass"/ Religious and Informative" TV Program on Beta SP

Number of Dubs: (1) Closed Caption Masters on Beta SP of "Mass" + (20) additional Closed Caption Dubs sent to Stations for Program Distribution

Quote: \$215.00 Closed Captioning on Beta SP
\$ 35.00 (20 - 25) DVD Dubs (\$35.00 for each additional Beta SP Dub)
\$250.00 for 25 DVD Dubs

There is an additional \$30.00 for Shipping all 30 pieces (but if you have a FedEx / UPS / DHL Shipping Account we will just need your account number)

We will provide you with:

- **Transcription (w/ copy emailed back to you)**
- **1 Beta SP Master of Program (Closed Captioned)**
- **20-25 DVD's for shipment**
- **Your Original Beta SP Master Tape back**

Tape and Transcription are included in the Quote!

If you send us an Mp3 audio of the "approved master" and email it to me, I can knock a few days off of our 4-5 business

5/16/2007

Gloria Gibson

From: Anne Schulman [captionanne@gmail.com]
Sent: Wednesday, May 16, 2007 6:59 PM
To: Gloria Gibson
Subject: Captioning price quote

Hi, Gloria:

I've attached two price sheets for your review. The first one is for the least expensive captioning option that we can offer to you--using real-time (live) captioning to tape. If you would like cost information about using an offline (tape) process for captioning, I would also be happy to provide that information to you. As we discussed, using an offline process, I would estimate that your cost would run \$550-700 per 30-minute production.

I've also attached a price sheet for encoders manufactured by Link Electronics. EEG and Evertz are two other encoder manufacturers that produce excellent, dependable encoders. I have a working relationship with Link and am therefore able to provide my clients with a discounted price on those encoders, but would encourage you to explore other options as well if you'd like.

Please let me know if I can provide you with any additional information at this time. I hope that we have the opportunity to work with you.

Take care,

Anne

Anne Schulman, President

Caption Associates, LLC

3514 Clinton Parkway, Suite A324

Lawrence, KS 66047-2145

866-602-3933 office toll-free 24/7

785-838-3933 office

785-838-3951 fax

785-766-4158 cell phone

5/17/2007



CAPTIONING SERVICES PRICE QUOTATION FOR GLORIA GIBSON, VERMONT CATHOLIC DIOCESE Real-time Captioning Live or to Tape

Your real-time captioning rate for captioning your weekly programming would be \$175.00 per hour, billed in 30-minute increments with a 30-minute minimum charge per captioning session. Therefore, your charge for a 30-minute broadcast would be \$87.50. Real-time captioning, at its best, still contains errors as the real-time captioner is writing at speeds of up to 250 words per minute. In order to increase the accuracy of our real-time captioning for your programming, we require that our clients provide us with preparation information prior to each captioning session. That information could include church bulletins, service order and content, sermon text, lyrics to hymns sung or prayers spoken, etc. For other broadcasts, prep information would include any prescribed information, names of proper names of people and places spoken during the broadcast, and any topic-specific vocabulary.

For an additional \$105.00 per 30-minute production, we will produce a verbatim transcript of your production and send that transcript live, as real-time captioning. Our live captions will then be perfect and error-free.

The real-time captioning process requires that the client install two telephone lines and a device called an encoder. One telephone line provides program audio to the captioner and the other telephone line carries the captions from the remote real-time captioner to the modem in the encoder.

Some other features of our real-time captioning services include:

- * **NO** long-distance phone charges. There are no additional charges for long-distance phone costs associated with our captioning services. We pay all long-distance phone costs and you are billed at your contracted hourly rate only for captioning services provided.
- * **NO** toll-free phone lines required.
- * **NO** "up front" or "set-up" charges.
- * **SIMPLE MONTHLY BILLING.** We provide you with a detailed bill each month for the captioning services you used during the prior month.
- * **RATES GUARANTEED** for the length of your contract. Real-time captioning rates quoted are based on a one-three year exclusive contract, and are guaranteed for the length of the contract.

3514 Clinton Parkway, Suite A324 * Lawrence, KS 66047-2145
866-602-3933 toll-free office * 785-838-3933 office * 785-838-3951 fax * 785-766-4158 cell
captionanne@gmail.com



CLOSED-CAPTIONING ENCODER PRICE LIST

LINK ELECTRONICS ENCODERS*

		LIST PRICE	OUR PRICE
PDR-885	ANALOG CC ENCODER/DECODER	\$2900.00	\$2320.00
PDP-886	SDI, DUAL MICROPROCESSOR CLOSED CAPTION ENCODER/DECODER	\$3475.00	\$2780.00
PDA-895	CLOSED CAPTION ENCODER/DECODER FOR BOTH DIGITAL & ANALOG	\$4680.00	\$3744.00

*TECHNICAL SPECIFICATIONS ARE AVAILABLE AT WWW.LINKELECTRONICS.COM.

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captionanne@gmail.com